

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT TUNSTALL,

Petitioner,

No. CIV S-04-2658 JAM JFM P

vs.

TERESA A. SCHWARTZ, et al.,

Respondents.

ORDER

Petitioner is a state prisoner proceeding pro se with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On March 17, 2008, the district court denied petitioner's application. Judgment was entered on the same day. On March 28, 2008, petitioner filed a notice of appeal and an application for a certificate of appealability. On April 11, 2008, the district court denied petitioner's application for a certificate of appealability. Petitioner's appeal was processed to the United States Court of Appeals for the Ninth Circuit on the same day, where it is now pending. On June 4, 2008, petitioner filed in this court a request for court-ordered access to the prison law library. Petitioner's request should be addressed to the United States Court of Appeals.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Petitioner's June 4, 2008 request for court-ordered access to the prison law library is denied without prejudice to its renewal, as appropriate, in the United States Court of Appeals for the Ninth Circuit; and

2. The Clerk of the Court is directed to serve a copy of this order on the United States Court of Appeals for the Ninth Circuit.

DATED: June 13, 2008.


UNITED STATES MAGISTRATE JUDGE

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